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I hereby certify that the correspondence is being deposited on 5/27/2004 with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Alan C. Rose
Alan C. Rose, Reg. No. 17,047

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Group Art Unit: 3728
Tracy E. Grim et. al. : Examiner: Marie Patterson
Title: **Footgear With Pressure Relief Zones** :
Serial No.: 09/592,462 :
Filed: June 9, 2000 :

Mail Stop Fee Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REISSUE OF U.S. PATENT NO. 5,761,834
GRANTED JUNE 9, 1998
PETITION UNDER 37 C.F.R. 1.47

Sir:

Applicant respectfully petitions for acceptance of the attached Reissue Declarations signed by two of three inventors and by the assignee in this case. The third inventor, Eric Montag could not be reached or found after a diligent effort. The last known address for Mr. Eric Montag is 7438 Wish Avenue, Van Nuys, CA 91406.

Attached to this petition are the following:

- Exhibit A – Abstract sheet of parent U.S. Patent No. 5,761,834
- Exhibit B – Declaration of Kent Webster on behalf of Assignee, Royce Medical Company ("Royce").
- Exhibit C – Reissue Declaration of Tracy E. Grim
- Exhibit D – Reissue Declaration of Kevin O'Donnell
- Exhibit E – Employee's Agreement of Eric Montag
- Exhibit F – Declaration of Eric Montag regarding parent application Serial No. 08/017,818

Exhibit G – Letter to Eric Montag dated March 21, 2003

In the present case Eric Montag was an inventor in the original filed application relating to this invention Serial Number 17,818, and was an employee of the assignee Royce Medical Company at that time. However, he left Royce Medical Company soon after that initial application was filed. Mr. Montag signed a Declaration (Exhibit F) and assignment of the invention to Royce Medical Company. Further in his employment agreement with Royce (Exhibit E) he agreed to assign all inventions made as an employee, to Royce.

We have written a letter (Exhibit G) to Mr. Montag requesting that he sign a Reissue Declaration as an inventor, but we have received no response from Mr. Montag, nor has mail been returned. As you can see from the attachments to this petition, Mr. Montag signed an Employee's Agreement (Exhibit E) by which he agreed to assign all inventions made in the course of his employment, to Royce. As noted above, he also signed the Declaration filed with the original application Serial Number 08/017,818 (Exhibit F) filed February 16, 1993, and the associated assignment to Royce Medical Company.

Also attached to this petition is a Declaration of Alan C. Rose confirming efforts made to contact Mr. Montag.

In view of the foregoing background information, and the attachments to this petition, it is respectfully requested that this petition be granted, and that the Reissue Declarations be accepted.

Respectfully submitted,



Alan C. Rose, Reg. 17,047
Attorney for Applicant

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